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# **SM 1004**

Introduced by  
Senators Burton Cahill: Rios

## A MEMORIAL

URGING THE UNITED STATES CONGRESS TO END THE DISCRIMINATORY FEDERAL POLICY OF  
"DON'T ASK, DON'T TELL" IN THE MILITARY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the Congress and President of the United States of America:

2 Your memorialist respectfully represents:

3 Whereas, since the 1994 codification into law by the United States  
4 Congress, and by the signature of the president, the policy now known as  
5 "Don't Ask, Don't Tell, Don't Pursue, Don't Harass" (National Defense  
6 Authorization Act of 1994; Public Law 103-160) has led to the discharge of a  
7 great number of lesbian and gay service members, thus ending their careers  
8 and burdening them with a lifelong stigma; and

9 Whereas, the capacity of the armed forces of the United States to carry  
10 out its missions, like the global war on terror, is hindered when competent  
11 and qualified individuals are involuntarily discharged from those forces; and

12 Whereas, the armed forces of the United States have been forced to  
13 retain reserve and national guard service members on active duty past  
14 standard deployment lengths in order to carry out its missions during the  
15 global war on terror; and

16 Whereas, the ability of the armed forces to recruit and retain the best  
17 and brightest Americans is hindered by excluding a section of the population  
18 solely because of sexual orientation; and

19 Whereas, lesbian and gay service members have served honorably  
20 throughout United States history and continue to serve with distinction on  
21 active duty in the global war on terror, including in Operation Enduring  
22 Freedom in Afghanistan and Operation Iraqi Freedom; and

23 Whereas, these men and women have achieved military honors, decoration  
24 and promotions to the highest ranks of their respective services for their  
25 valor and service to the people of the United States; and

26 Whereas, America's allies in the war on terror, including the United  
27 Kingdom, Australia and Israel, all allow lesbian and gay service members to  
28 serve openly; and

29 Whereas, the Department of Homeland Security, the Federal Bureau of  
30 Investigation, the Defense Intelligence Agency, the National Security Agency,  
31 the Central Intelligence Agency and other federal departments handling  
32 national security allow their lesbian, gay, bisexual and transgender  
33 personnel to serve openly; and

34 Whereas, a February 2005 Government Accountability Office report shows  
35 that more than 9,488 service members have been discharged under the "Don't  
36 Ask, Don't Tell" policy, including at least 757 service members in "critical  
37 occupations," such as counterintelligence experts, at a cost to taxpayers of  
38 more than \$190 million; and

39 Whereas, the Department of Defense reported that 209 language  
40 specialists have been discharged from the military under the "Don't Ask,  
41 Don't Tell" policy, including 54 Arabic and 9 Farsi translators who are  
42 vitally important to intelligence gathering and are in critical shortage; and

43 Whereas, evidence from a study conducted by the Center for the Study of  
44 Sexual Minorities in the Military suggests that the "Don't Ask, Don't Tell"  
45 policy increases gay troops' stress levels, lowers their morale, impairs

1 their ability to form trusting bonds with their peers, restricts their access  
2 to medical care, psychological services and religious consultations, and  
3 limits their ability to advance professionally and their willingness to join  
4 and remain in the services; and

5 Whereas, every Department of Defense authorized study has shown that  
6 there is no correlation between sexual orientation and unit cohesion in the  
7 armed forces; and

8 Whereas, a majority of American citizens support keeping trained and  
9 skilled openly gay and lesbian service members in the military; and

10 Whereas, the United States military's readiness to protect and defend  
11 our nation is severely compromised because of the discriminatory "Don't Ask,  
12 Don't Tell" policy that is arbitrarily enforced by commanders whose personal  
13 beliefs may influence their disciplinary action; and

14 Whereas, discharges under "Don't Ask, Don't Tell" are historically  
15 fewer when troop strength is low, as in times of war, which denotes the tacit  
16 recognition by the military that lesbian and gay service members are fit and  
17 capable of military service, thereby further illustrating the arbitrary  
18 enforcement of this policy; and

19 Whereas, military readiness is enhanced when all qualified, capable  
20 Americans, regardless of sexual orientation, are welcomed into our armed  
21 forces and their talents are used in the best interest of our national  
22 security.

23 Wherefore your memorialist, the Senate of the State of Arizona, prays:

24 1. That the Congress and President of the United States adopt the  
25 Military Readiness Enhancement Act of 2007 (H.R. 1246) to end the  
26 discriminatory federal policy of "Don't Ask, Don't Tell."

27 2. That the Secretary of State of the State of Arizona transmit copies  
28 of this Memorial to the President of the United States, the President of the  
29 United States Senate, the Speaker of the United States House of  
30 Representatives and each Member of Congress from the State of Arizona.